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December 17, 2007

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Via FAX

Hon. Kenneth M. Karas
United States District Judge
United States District Court
for the Southern District of New York
300 Quarropas Street, Room 533
White Plains, NY 10601

Re: *Biofuels Operating Company, LLC v. Parsons & Whittemore Enterprises Corp.*, No. 07 Civ. 8712 (KMK)

Dear Judge Karas:

As Your Honor is aware, the parties to this action are also parties to a related action in the United States District Court for the Southern District of Alabama, where Parsons & Whittemore Enterprises Corporation ("P&W") made a preliminary injunction motion and Biofuels Operating Company, LLC ("Biofuels") made a transfer motion. Judge Granade held a seven-day hearing last month, but has not yet ruled on either motion. In light of these facts, P&W respectfully requests an additional 30-day extension of its time to answer or otherwise respond to the complaint in the above-captioned action.

Counsel for Biofuels has consented to this extension, and a proposed order is enclosed.

Respectfully yours,

Barbara Moses (cc)

Barbara Moses

Granted

cc: David Bowker, Esq. (via Fax)

SO ORDERED

[Signature]
KENNETH M. KARAS U.S.D.J.

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DEC 17 2007

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BIOFUELS OPERATING COMPANY, LLC,

Plaintiff,

v.

PARSONS & WHITTEMORE ENTERPRISES
CORPORATION,

Defendant.

07 Civ. 8712 (KMK)

ORDER

Pursuant to the agreement reached among counsel on December 14, 2007, defendant Parsons & Whittemore Enterprises Corporation shall have an additional thirty (30) days, through and including January 23, 2007, to answer or otherwise respond to the Complaint in the above captioned action.

Honorable Kenneth M. Karas
UNITED STATES DISTRICT JUDGE